



Application No. 09/409,338
Attorney's Docket No. 030662-047
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REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.112, and in light of the remarks which follow are respectfully requested.

Upon review of the Amendment filed August 25, 2000, it has come to applicants' attention that the document was a non-final draft which was inadvertently filed. Therefore, please disregard the "Remarks" portion of that document and consider the application in light of the remarks which follow. It is assumed that the amendments set forth in the previously filed Amendment have been entered.

By the above amendments, a spelling error in Claim 1 has been corrected.

In light of the above, the following rejections are now moot at least because one or more of Claims 4, 6 and 7, which have been incorporated into independent Claims 1 and 9, have not been rejected: The rejection of Claims 1-3, 5, 8 and 9 under §102(b) over European Patent Document No. EP 0 787 778 A1 (EP '778); the rejection of Claims 1-3, 6, 7 and 9 under §102(b) over UK Patent Application No. GB 2 031 448 A (GB '448); the rejection of Claims 1, 2, 6, 7 and 9 under §102(b) over *Song* (U.S. Patent No. 4,834,799); the rejection of Claims 1-6, 8 and 9 under §102(b) over *Bates et al* (U.S. Patent No. 5,958,999), taken in view of *Breton et al* (U.S. Patent No. 5,938,827); the rejection of Claims 1-5 and 7-9 under §102(e) over *Nigam et al* (U.S. Patent No. 5,973,025); the rejection of Claims 1-3, 5, 8 and 9 under §102(e) over *Shimomura et al* (U.S. Patent No. 5,886,638); the rejection of Claim 5 was rejected under §103(a) as being obvious over GB '448 in view of EP '778; the rejection of Claim 7 under §103(a) over EP '778, *Bates et al*,

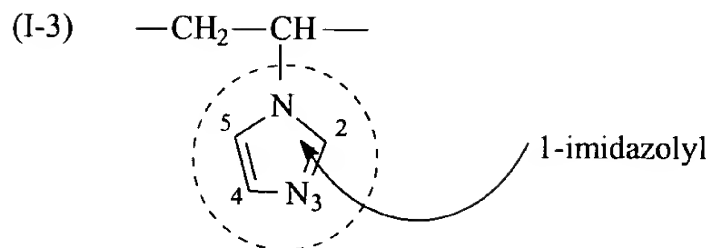
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or *Shimomura et al*, in view of *Nigam et al*; the rejection of Claim 6 under §103(a) over *Nigam et al* in view of *Schwarz, Jr.*; the rejection of Claim 6 under §103(a) over *Shimomura et al*; and the rejection of Claims 1, 2 and 5-9 under §103(a) over *Colt et al* (U.S. Patent No. 5,389,131) in view of *Tomita et al* (U.S. Patent No. 5,019,164). Accordingly, withdrawal of these rejections is respectfully requested.

Claims 1-9 stand rejected under 35 U.S.C. §102(e) over *Schwarz, Jr.* (U.S. Patent No. 5,990,198). The claims as now presented cannot properly be rejected on this basis.

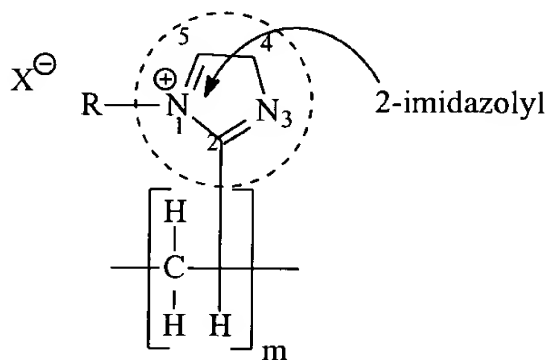
The present invention relates to a jet printing ink and an ink-image forming method using an ink jet printer. Claim 1 as amended above sets forth a jet printing ink. The ink comprises a dye and an aqueous medium, and further comprises a basic polymer having a side-chain containing a 1-imidazolyl. The basic polymer is contained in an amount of 0.1 to 50 weight % and the ink has a viscosity of 50 cp or lower at 25°C. Independent Claim 9 is directed to a method of forming an ink image on a receiving sheet using an ink jet printer. The method comprises jetting drops of an ink as described above with respect to Claim 1.

Schwarz, Jr. does not disclose or suggest each feature of the invention as now claimed. For example, *Schwarz, Jr.* does not disclose or fairly suggest a basic polymer having a side-chain containing a 1-imidazolyl. In accordance with the invention, 1-imidazolyl is a most preferred nitrogen atom-containing heterocyclic ring (see specification at page 6, lines 11-13). Exemplary repeating units of such as (I-3), (I-4), (I-6), (I-7), (I-8), (I-9) and (I-10) (see specification at pages 7-8) have a side-chain containing 1-imidazolyl. For example, the repeating unit (I-3) is illustrated below:



Thus, exemplary polymers A-3 to A-16, A-23 and A-24 on pages 9-10 of the specification have a side-chain containing 1-imidazolyl.

Schwarz, Jr. is silent with respect to a basic polymer having a side-chain containing 1-imidazolyl. For example, *Schwarz, Jr.* at column 7 merely discloses a basic polymer having a side-chain containing 2-imidazolyl, which is illustrated below:



Quite clearly, *Schwarz, Jr.* is not suggestive of a basic polymer having a side-chain containing 1-imidazolyl. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1-9 stand rejected under 35 U.S.C. §102(e) over *Gundlach et al* (U.S. Patent No. 6,054,505). The claims as now presented cannot properly be rejected on this basis.

Gundlach et al does not disclose or fairly suggest a basic polymer having a side-chain containing 1-imidazolyl. Like *Schwarz, Jr.*, *Gundlach et al* at column 12 discloses a

basic polymer having a side-chain containing 2-imidazolyl. As described above, 2-imidazolyl is not suggestive of 1-imidazolyl. Thus, *Gundlach et al* is not suggestive of the present invention, in which basic polymer having a side-chain containing 1-imidazolyl. Accordingly, *Gundlach et al* cannot properly be applied to the claims as now presented, and the rejection should be withdrawn.

From the foregoing, further and favorable action in the form of Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at her earliest convenience.

Respectfully submitted,

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